

Message Text

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EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJECT: COCOM PROCEDURES FOR SERVICING KITS

1. AT MARCH 22 COCOM MEETING THE COMMITTEE DECIDED THAT A DISCUSSION OF THE PROPOSALS ON COCOM SERVICING PROCEDURES (COCOM DOCS PROC. (78) 3 AND 3.2) WOULD BE HELD AT THE REGULAR COCOM MEETING ON MAY 2.

2. DURING THE MEETING GERMAN DEL INDICATED THAT HIS AUTHORITIES HAD ASKED THAT A STATEMENT ON THIS SUBJECT BE SUBMITTED TO THE COMMITTEE. THIS STATEMENT WILL SUBSEQUENTLY BE DISTRIBUTED IN COCOM DOC. (78) 3.4. TEXT OF THIS STATEMENT IS AS FOLLOWS:

IN THE GERMAN VIEW, SERVICING KITS CONTAIN EQUIPMENTS OR PARTS WHICH ARE REQUIRED TO SERVICE A CERTAIN MACHINE. THE ASSORTMENT CONTAINED IN SERVICING KITS IS BASED ON TESTING AND EXPERIMENTING WITH PARTS WHICH ARE TO BE REPLACED AFTER A CERTAIN TIME OF USE IN ORDER TO AVOID MACHINE FAILURES. THESE PARTS COULD THEREFORE BE CONSIDERED AS WEARING PARTS AND THEIR
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EXPORT WOULD BE JUSTIFIED WITHIN THE PROVISIONS OF THE SERVICING PROCEDURE SET OUT IN COCOM DOC. REG. (77) L, CHAPTER B, PARAGRAPH 9, SUBPARAGRAPHS (A), (B) AND (E) WHICH PERMIT EXPORTS NOT EXCEEDING \$6,600 OF INTERNATIONAL LIST I ITEMS AS PARTS TO SERVICE EQUIPMENT PREVIOUSLY SUPPLIED, UNDER CERTAIN CONDITIONS WITHIN THE COMPETENCE OF THE NATIONAL LICENSING AUTHORITIES,

AND ON CONDITION THAT THESE EXPORTS ARE REPORTED TO THE COMMITTEE IN THE MONTHLY STATISTICAL RETURNS. IN ORDER TO ENABLE MEMBER COUNTRIES TO MEET MODERN REQUIREMENTS IN EXPORTING SPARE PARTS TO EASTERN COUNTRIES, THE GERMAN AUTHORITIES PROPOSE THAT THESE SERVICING KITS SHOULD BE TREATED ACCORDING TO THE CRITERIA SET OUT IN PARAGRAPH 9 OF CHAPTER D OF COCOM DOC. REG. (77) L WITHOUT ANY LIMITATION IN VALUE, IN LINE WITH THE TREATMENT GIVEN TO THE REPAIR OF EQUIPMENT PREVIOUSLY SHIPPED. IN FORMULATING SUCH A PROCEDURE, AN ATTEMPT SHOULD BE MADE TO DELETE THE LIMITATION CONTAINED IN SUBPARAGRAPH 9 (D), IN ORDER TO ENABLE ANY MEMBER COUNTRY TO SERVICE PREVIOUSLY SHIPPED EMBARGOED EQUIPMENT ON INTERNATIONAL LIST I UNDER THE SERVICING PROCEDURE. THE COMPETENCE OF NATIONAL AUTHORITIES FOR THE EXPORT OF SERVICING KITS SHOULD ONLY GO AS FAR AS SUCH EXPORTS WERE NECESSARY, ACCORDING TO THE EXPERIENCE OF COMPETENT EXPERTS, FOR THE MAINTENANCE OF THE PERFORMANCE OF THE EQUIPMENT OR MACHINES ORIGINALLY SUPPLIED. THE GERMAN AUTHORITIES WERE NOT INTENDING TO FORMULATE A PROPOSAL SINCE THE MATTER WAS GOING TO BE DISCUSSED AND SINCE OTHER PROPOSALS WERE EXPECTED IN THIS CONNECTION."

3. AT MARCH 22 MEETING BELGIAN DEL SAID THAT HIS AUTHORITIES HAD NOTED THAT THE CANADIAN PROPOSAL
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REFERRED TO "EQUIPMENT PREVIOUSLY SHIPPED WITH COMMITTEE APPROVAL" AND WISH TO KNOW IF THE INTENT IS TO REQUIRE THAT THE SERVICING MUST BE CARRIED OUT BY THE ORIGINAL SUPPLIER OR WHETHER ANOTHER MEMBER COUNTRY COULD AFFECT THIS WORK. THE CANADIAN DEL WILL SEEK CLARIFICATION OF THIS POINT.

4. ACTION REQUESTED: BY MAY 2 USG REACTION TO THE CANADIAN PROPOSAL (COCOM DOC. PROC. (78) 3.2) AND THE GERMAN SUGGESTION OUTLINED PARA 2 ABOVE.
SALZMAN

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